

THE HONORABLE GRADY J. LEUPOLD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NINTENDO OF AMERICA INC., a
Washington Corporation,

Plaintiff,

v.

RYAN MICHAEL DALY d/b/a MODDED
HARDWARE, an individual,

Defendants.

CASE NO.24-CV-00958-GJL
Assigned to Hon. Grady J. Leupold

**STIPULATION AND
[PROPOSED] ORDER TO
EXTEND DEADLINE FOR
EXPERT REPORTS**

NOTE ON MOTION CALENDAR:
JULY 8, 2025

STIPULATION

This joint stipulation, by and between Plaintiff Nintendo of America Inc. (“NOA”) and Defendant Ryan Michael Daly (“Daly”), is based on the following facts:

1. On June 28, 2024, NOA filed its Complaint in this action, asserting claims for trafficking in circumvention devices, direct and indirect copyright infringement, breach of contract, and tortious interference with contract, arising from Defendants’ alleged sale and distribution of certain hardware devices and services that modify the operation of the Nintendo Switch video game console

2. Pursuant to the Court’s April 9, 2025 (Modified) Scheduling Order, Trial in this action currently is set for January 20, 2026. The Discovery cut-off is September 22, 2025. The deadline for expert disclosures is July 22, 2025.

3. On May 29, 2025, NOA served a Notice of Deposition of Defendant for June 25, 2025, in Detroit, Michigan, which is within 100 miles of Defendants’ place of residence. However,

1 Defendant, through his Michigan counsel, has notified NOA that he is unavailable for deposition
2 until July 31, 2025.

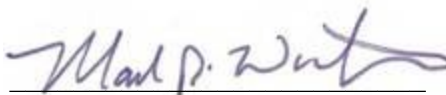
3 4. The current deadline for expert disclosures is July 22, 2025. Thus, if NOA is unable to
4 take Defendants' deposition until July 31, 2025, NOA's expert will be unable to consider
5 Defendants' deposition testimony in his analysis.

6 5. In order to accommodate both Defendants' schedule and avoid prejudice to NOA, the
7 parties have agreed to request that the Court continue the deadline for expert disclosures by
8 approximately three weeks: from July 22, 2025 to August 15, 2025. The parties believe that good
9 cause exists for this requested continuance.

10 6. The parties do not request any other modifications or alterations to the Court's
11 Scheduling Order. The parties agree that they shall not be prejudiced by the relief requested in this
12 stipulation.

13 IT IS HEREBY STIPULATED AND AGREED that, subject to Court approval, the deadline
14 for expert reports shall be extended by 24 days, from July 22, 2025, to August 15, 2025.

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16 DATED: July 8, 2025



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22 Respectfully submitted,

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27 Attorneys for Plaintiff NINTENDO OF AMERICA
28 INC

1 DATED: July 8th, 2025

2 Respectfully submitted,
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PROPOSED ORDER

THIS MATTER is before the Court on the Parties' stipulated motion for leave to extend the deadline for expert reports.

NOW THEREFORE, for GOOD CAUSE shown, the Court HEREBY ORDERS THAT the deadline for expert reports is extended from **July 22, 2025** to **August 15, 2025**. All other pre-trial deadlines remain unchanged.

IT IS SO ORDERED.

DATED: _____

Grady J. Leupold
United States District Judge